

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: October 25, 2005
Public Hearing: November 15, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00096, to allow for a crematory on the property described as a 2.98 acre portion of Block 33, Sage Addition, Second Replat, Section Two, El Paso, El Paso County, Texas, pursuant to Section 20.40.040 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 1060 Carolina Drive. Applicant: Hillcrest Funeral Home. ZON05-00096 (District 7)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*******REQUIRED AUTHORIZATION*******

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00096, TO ALLOW FOR A CREMATORY ON THE PROPERTY DESCRIBED AS A 2.98 ACRE PORTION OF BLOCK 33, SAGE ADDITION, SECOND REPLAT, SECTION TWO, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.40.040 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Hillcrest Funeral Home have applied for a Special Permit under Section 20.40.040 of the El Paso Municipal Code to allow for a Crematory;

WHEREAS, the requirements of Section 20.04.160 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in the C-3 (Commercial) District;
A 2.98 acre portion of Block 33, Sage Addition, Second Replat, Section Two, El Paso, El Paso County, Texas, and more completely described in Exhibit 'A'; and
2. That a Crematory is authorized by Special Permit in the **C-3 (Commercial)** district under Section 20.40.040 of the El Paso Municipal Code; and
3. That the requirements for a Crematory under Section 20.40.040 have been satisfied; and
4. That the City Council hereby grants a Special Permit under Section 20.40.040 of the El Paso Municipal Code, to allow a Crematory on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the C-3 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes;

6. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00096**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

7. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Carolyn J. Crosby, Assistant City Attorney

APPROVED AS TO CONTENT:

Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

PROPERTY DESCRIPTION

(PROPOSED C-3)

Description of a 2.98 acre parcel of land being a portion of Block 33, Sage Addition, Second Replat, Section Two in the City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located on the centerline of Yarbrough Drive (120' wide public right-of-way) and Carolina Drive (70' wide public right-of-way), Thence along said centerline of Carolina Drive South 89° 42' 00" West a distance of 259.03 feet, Thence South 00° 18' 00" East a distance of 35.00 feet to a point lying on the southerly right-of-way line of Carolina Drive said point being the "True Point of Beginning",

Thence South 00° 18' 00" East a distance of 200.00 feet to a point;

Thence North 89° 42' 00" East a distance of 65.76 feet to a point;

Thence South 00° 18' 00" East a distance of 125.00 feet to a point;

Thence North 89° 42' 00" East a distance of 169.48 feet to a point;

Thence along an arc of a curve to the left a distance of 44.42 feet, whose radius is 2142.70 feet, whose central angle is 01° 11' 16" and whose chord bears South 11° 33' 10" East a distance of 44.42 feet to point;

Thence South 78° 20' 00" West a distance of 380.91 feet to a point;

Thence North 45° 25' 00" West a distance of 187.60 feet a point;

Thence North 00° 18' 00" West a distance of 310.96 feet, to a point lying on the southerly right of way line of Carolina Drive;

Thence North 89° 42' 00" East along said southerly right-of-way line of Carolina Drive a distance of 260.99 feet back to the "True Point of Beginning", and said parcel containing in all 129,953.43 square feet or 2.98 acres of land more or less.

Grady R. PLS
8/30/05

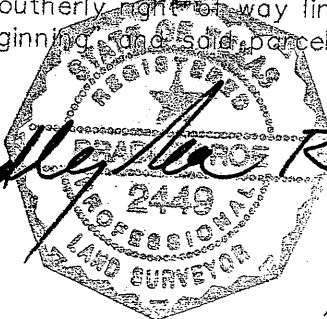


EXHIBIT "A"

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

October 18, 2005

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00096

The City Plan Commission (CPC), on October 6, 2005, voted **6 - 0** to recommend **APPROVAL** of this special permit request for permit a Crematory, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request.

Attachment: Site Plan, Location Map.

STAFF REPORT

Special Use Permit #: ZON05-00096

Property Owner(s): Hillcrest Funeral Home

Applicant(s): Hillcrest Funeral Home

Representative(s): Roe Engineering

Legal Description: Portion of Block 33, Sage Addition, Second Replat

Location: 1060 Carolina Drive

Representative District: # 7

Area: 2.98 Acres

Zoning: C-2 (Commercial)

Existing Use: Funeral Home

Proposed Use: Funeral Home/ installation of crematory inside existing building

Recognized Neighborhood Associations Contacted: N/A

Surrounding Land Uses:

North -	C-1 (Commercial) /
South -	C-1 (Commercial) /
East -	C-1 (Commercial) /
West-	C-3 (Commercial), R-3 (Residential) /

Year 2025 Designation: Commercial/Residential (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, October 6, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON05-00096-

General Information:

The applicant is requesting a special permit to allow for installation of crematory inside existing funeral home. The property is currently zoned C-2 (Commercial). The site is currently a funeral home and is 2.98 acres in size. Access is proposed via Carolina Dr. and Yarbrough Dr. with 122 parking spaces provided. There are no zoning conditions currently imposed on this property.

Information to the Commission:

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **approval** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the Mission Valley Planning Area designates this property for Commercial/Residential land uses.

C-2 (Commercial) zoning does not permit installation of crematory inside existing building by special permit.

The Commission must determine the following:

- A. Will the special permit for installation of crematory inside existing building protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments.

El Paso Water Utilities Notes:

No objections.

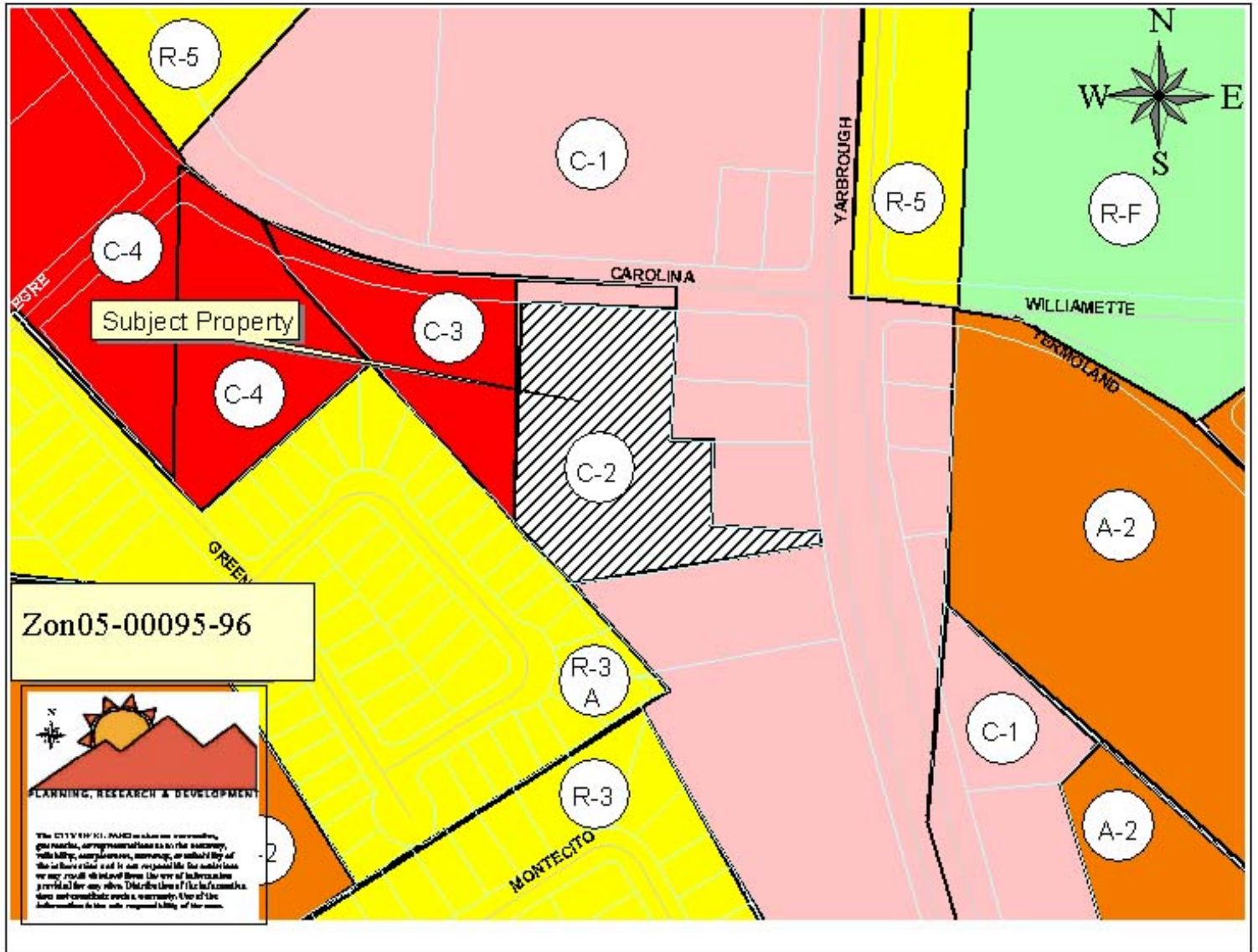
Planning, Research & Development Department Notes:

Recommend a requirement for a detailed site development plan review prior to the issuance of building permits.

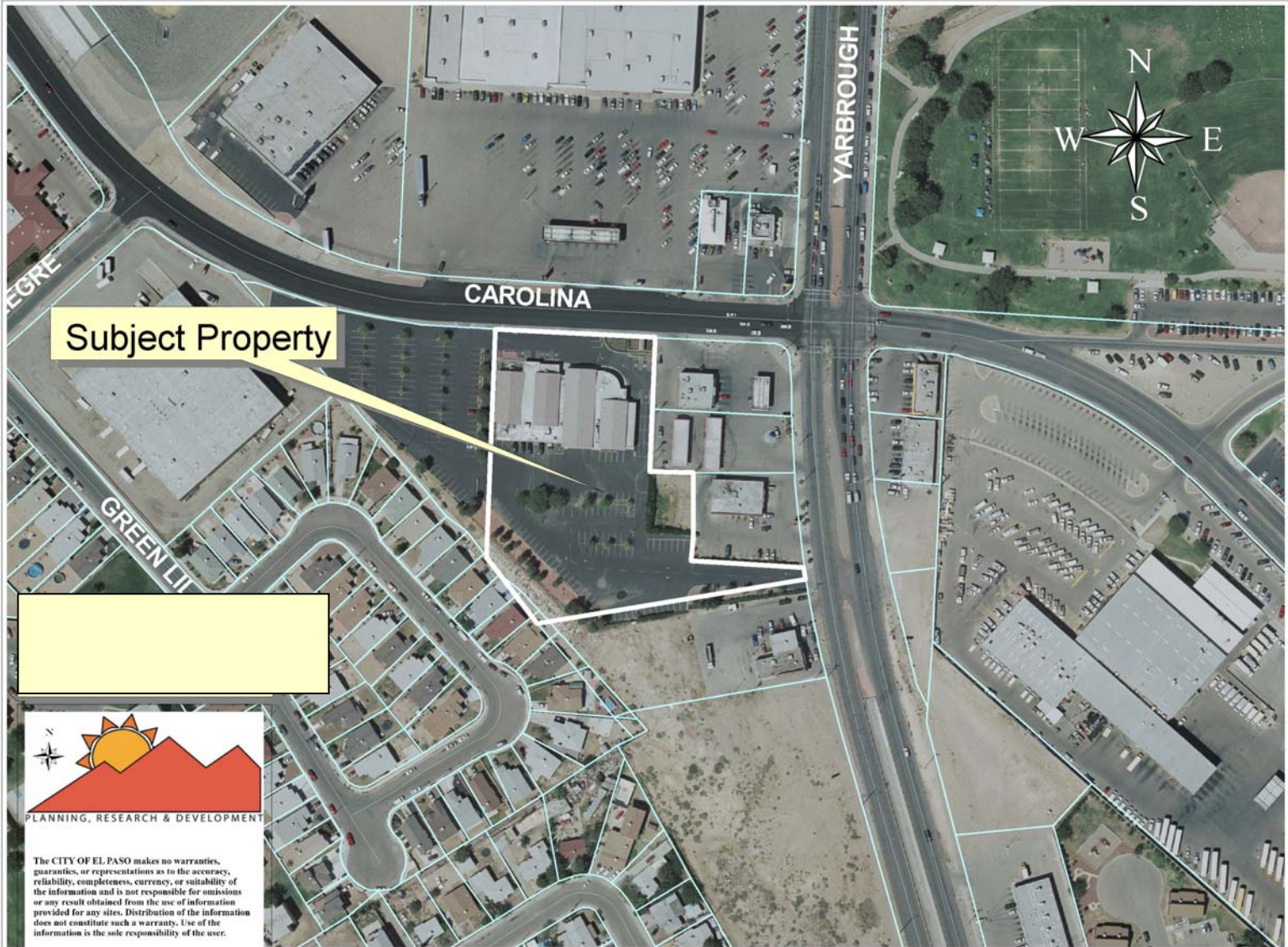
ATTACHMENT: Site Plan.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



GENERALIZED PLOT PLAN

